

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C- 08-5292 MHP

JOHNNY REED,

Petitioner,

vs.

MICHAEL D. McDONALD, Warden

Respondent.


**ORDER RE
EXTENSION OF
TIME**

It has come to this court's attention that on February 8, 2010, a motion to extend time to file an amended habeas petition was filed in this action. No proposed order was submitted and, therefore apparently, the motion was not forwarded to chambers. This motion requested an extension of thirty days. It appears that counsel has not followed up on this and has not filed the amended petition despite the passage of over six months. In view of this lapse, although it might be appropriate to dismiss the petition, the court gives petitioner until September 30, 2010, to file the amended petition.

No further extensions will be granted and failure to timely file the amended petition will result in dismissal of the action.

IT IS SO ORDERED.

Date: September 3, 2010


MARILYN HALL PATEL
United States District Court Judge
Northern District of California